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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/697,802	10/31/2003	Xiang-Yang Han	

Audrey S. Pham
 1211 Andrews
 Houston, TX 77019



CONFIRMATION NO. 1194

FORMALITIES LETTER



OC000000014791383

Date Mailed: 12/17/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- Late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 was not received.
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- To Download Patent Software, visit <http://www.uspto.gov/web/patents/software.htm>
- For Patent Software Program Help, call (571) 272-2510 or email mark.spencer@uspto.gov

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$2010 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

02/22/2005 EHAILE1 00000020 10697802

01 FC:2051

65.00 OP

Total additional fee(s) required for this application is **\$2140** for a Large Entity

- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$2010**
 - **\$200** for **4** independent claims over 3.
 - **\$1450** for **29** total claims over 20.
 - **\$360** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Certificate of Mailing

I hereby certify that the following items:

- 1) Notice of Missing Parts of Nonprovisional Application
- 2) Response to Notice of Missing Parts
- 3) Credit Card Payment Form authorizing payment of Late Declaration surcharge
- 4) Credit Card Payment Form authorizing payment of all required fees related to patent application processing
- 5) CRF Sequence Listing in paper form
- 6) CRF Sequence Listing in Compact Disk form

are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

on Feb. 15, 2005

By: Audrey S. Pham

Signature

A handwritten signature in black ink, appearing to be "Audrey S. Pham", written over a solid horizontal line.



Mail Stop Missing Parts
Commissioner for Patents
P.O Box 1450
Alexandria VA 22313-1450

02/14/2005

Re: Response to Notice of Missing Parts of Nonprovisional Application
Application No. 10/697,802
Filing Date 10/31/2003

Dear Sir/Madam:

This correspondence is a response to your Notice of Missing Parts of Nonprovisional Application, mailing date of 12/17/2004, confirmation No. 1194. Please note the following responses and corrections to Notice:

1. In regard to the notice of supplemental fees problems, applicants are entitled to and have claimed small entity status under 37 CFR 1.27(a)(1). The assertion of small entity was made in pursuant to 37 CFR 1.27(c)(3), by payment of small entity basic filing fee included in a previous correspondence. However, in case such assertion was not noted, applicant hereby wish to assert small entity status pursuant to 37 CFR 1.27(c)(1):

Applicant is a small entity as defined by 37 CFR 1.27(a)(1) and is entitled to a small entity status. Applicant clearly intends to claim small entity status, by payment of a small entity basic filing fee. Applicant asserts small entity status.

Audrey S. Pham, Applicant

2/14/05

Date

2. A late declaration surcharge for a small entity, as set forth in 37 CFR 1.16(e) and 35 USC 41(h)(1), is \$65, rather than \$130. A Credit Card Payment Form authorizing a charge of \$65 is enclosed with this correspondence.

3. A substitute computer readable form of the Sequence Listing has been corrected to comply with the requirements of 37 CFR 1.822 and 1.823 and is hereby submitted with this correspondence. The content of the sequence listing information recorded in computer readable form is identical to the written sequence listing, and the entire content of the sequence listing includes no new

matter, in compliance with 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), and 1.825(d).

Enclosed please find an authorization, by a Credit Card Payment Form, to charge all required fees related to the present patent application and processing, including fees under 37 CFR 1.17.

Applicant requests for Commissioner to treat any concurrent or future reply that requires a petition for an extension of time under 37 CFR 1.136(a) to be timely, as incorporating a petition for extension of time for the appropriate length of time; and that all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under 37 CFR 1.136(a) to be timely.

A handwritten signature in black ink, appearing to read 'Audrey S. Pham', with a stylized flourish at the end.

Audrey S. Pham